

## PATENT APPLICATION

DECLARATION AND POWER OF ATTORNEY

## Original Application

As below named inventor, I declare that I have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in this Declaration, that the information given herein is true, that I believe that I am the original, first and sole inventor of the invention entitled:

**DAMAGE-FREE SCULPTURED COATING DEPOSITION**

which is described and claimed in:

X the attached specification or

\_\_\_ the specification in application Serial No. \_\_\_\_\_ filed \_\_\_\_\_ amended \_\_\_\_\_

that I acknowledge my duty to disclose information in accordance with 37 C.F.R. Section 1.56 and defined on the attached sheet, which is material to the examination of this application, that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application and that as to applications for patent or inventor's certificate filed by me or my legal representatives or assigns in any country foreign to the United States of America, the earliest filed foreign applications(s) filed within twelve months prior to the filing date of this application and all foreign applications filed more than twelve months prior to the filing date of this application, if any, are identified below.

CHECK APPROPRIATE BOX:

X No earlier-filed foreign applications.

\_\_\_ Required information as to foreign applications filed prior to filing date of this application is on page 5 attached hereto and made a part hereof.

**POWER OF ATTORNEY:**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

<u>NAME</u>	<u>REGISTRATION NO.</u>
Michael L. Sherrard	28,041
Peter J. Sgarbossa	25,610
Donald J. Verplancken	33,217
Michael B. Einschlag	29,301
Lawrence Edelman	25,225

<u>NAME</u>	<u>REGISTRATION NO.</u>
Raymond Kam-On Kwong	37,165
Leslie Weise	36,305
James C. Wilson	35,412
Shirley L. Church	31,858
Kathi Rafayko	36,644

**SEND CORRESPONDENCE TO:**

Patent Counsel  
Applied Materials, Inc.  
P.O. Box 450-A  
Santa Clara, California 95052

**DIRECT TELEPHONE CALLS TO:**

Shirley L. Church, Esq.  
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(201) FULL NAME OF INVENTOR	LAST NAME Chiang	FIRST NAME Tony	MIDDLE NAME	
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(202) FULL NAME OF INVENTOR	LAST NAME Yao	FIRST NAME Gongda	MIDDLE NAME	
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(203) FULL NAME OF INVENTOR	LAST NAME Ding	FIRST NAME Peijun	MIDDLE NAME	
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(204) FULL NAME OF INVENTOR	LAST NAME Chen	FIRST NAME Fusen	MIDDLE NAME E.	
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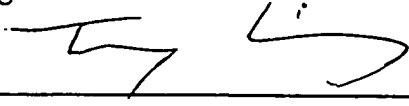

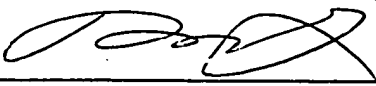

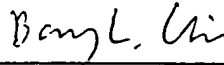
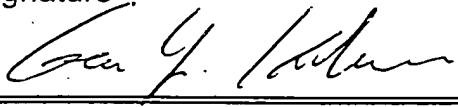

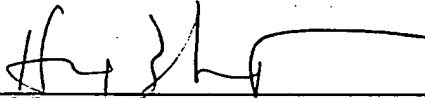
(205) FULL NAME OF INVENTOR	LAST NAME Chin	FIRST NAME Barry	MIDDLE NAME L.	
RESIDENCE & CITIZENSHIP	CITY Saratoga	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
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(206) FULL NAME OF INVENTOR	LAST NAME Kohara	FIRST NAME Gene	MIDDLE NAME Y.	
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(207) FULL NAME OF INVENTOR	LAST NAME Xu	FIRST NAME Zheng	MIDDLE NAME	
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(208) FULL NAME OF INVENTOR	LAST NAME Zhang	FIRST NAME Hong	MIDDLE NAME	
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POST OFFICE ADDRESS	POST OFFICE ADDRESS 45020 Pawnee Drive	CITY Fremont	STATE OR COUNTRY California	ZIP CODE 94539

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name (201) NAME: Tony Chiang	Signature 	Date 11/25/97
Name (202) NAME: Gongda Yao	Signature 	Date 11/25/97
Name (203) NAME: Peijun Ding	Signature 	Date 11/25/97
Name (204) NAME: Fusen Chen	Signature 	Date 11/25/97
Name (205) NAME: Barry L. Chin	Signature 	Date 11/25/97
Name (206) NAME: Gene Y. Kohara	Signature 	Date 11/25/97
Name (207) NAME: Zheng Xu	Signature 	Date 12/1/97
Name (208) NAME: Hong Zhang	Signature 	Date 11/25/97

Section 1.56 Duty to Disclose Information Material to Patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by Sections 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applications to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the application takes in:

(i) opposing an argument of unpatentability relied on by the Office; or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any considerations given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent or inventor.

RECORDATION FORM COVER SHEET  
PATENTS ONLYAttorney Docket No. AM-2044

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Tony Chiang  
Gongda Yao  
Peijun Ding  
Fusen E. Chen  
Barry L. Chin  
Gene Y. Kohara  
Zheng Xu  
Hong ZhangAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name

Other: \_\_\_\_\_

Execution Date: December 1, 1997

## 2. Name and address of receiving party(ies):

Name: Applied Materials, Inc.  
Address: 3050 Bowers Avenue  
Santa Clara, California 95054Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the filing date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

08/978,792

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Patent CounselAddress: Applied Materials, Inc.P.O. Box 450-ASanta Clara, California 95052

## 6. Total number of applications and patents involved:

ONE

Total fee (37 CFR 3.41):\$ 40.00☒ Enclosed, Check No. 587☐ Authorized to be charged to deposit account, if necessary

## 8. Deposit account number:

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Shirley L. Church, Esq.  
Name of Person Signing  
Registration No. 31,858  
Signature5/5/98  
DateTotal number of pages including cover sheet, attachments, and document: 4

**ASSIGNMENT FOR APPLICATION FOR PATENT**

**WHEREAS:**

**Names and Addresses  
of Inventors:**

- 1) Tony Chiang  
100 N. Whisman Road, #17  
Mountain View, California 94043  
  
and
- 2) Gongda Yao  
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Fremont, California 94539  
  
and
- 3) Peijun Ding  
1020 W. Riverside Way  
San Jose, California 95129  
  
and
- 4) Fusen E. Chen  
19910 Portal Plaza  
Cupertino, California 95014  
  
and
- 5) Barry L. Chin  
13174 Cumberland Drive  
Saratoga, California 95070  
  
and
- 6) Gene Y. Kohara  
38680 Hastings Street, #A-203  
Fremont, California 94536  
  
and
- 7) Zheng Xu  
279 Hudson Bay Street  
Foster City, California 94404  
  
and
- 8) Hong Zhang  
45020 Pawnee Drive  
Fremont, California 94539

(hereinafter referred to as Assignors), have invented a certain invention entitled:

## **"DAMAGE-FREE SCULPTURED COATING DEPOSITION"**

for which an application for Letters Patent in the United States was filed on November 26, 1997, and assigned U.S. application Serial No. 08/978,792; and

WHEREAS, Applied Materials, Inc., a corporation of the State of Delaware, having a place of business at 3050 Bowers Avenue, Santa Clara, California 95054 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said application (hereinafter referred to as Application), and the invention disclosed therein (hereinafter referred to as Invention), and in and to all embodiments of the Invention, heretofore conceived, made or discovered by said Assignors, and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter referred to as Patents) thereon granted in any and all countries and groups of countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Assignors to have been received in full from said Assignee:

1. Said Assignors hereby sell, assign, transfer and convey to Assignee the full and exclusive right, title and interest (a) in and to said Application and said Invention; (b) in and to all rights to apply for patents on said Invention in any and all countries pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all Applications filed and any and all Patents granted on said Invention in any and all countries and groups of countries, including each and every Application filed and each and every Patent granted on any application which is a division, substitution, or continuation of said Application; and (d) in and to each and every reissue or extension of any of said Patents.

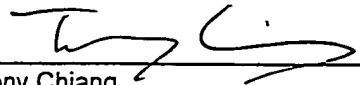
2. Said Assignors hereby covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest to said Invention herein conveyed in any and all countries and groups of countries. Such cooperation by said Assignors shall include prompt production of pertinent facts and documents, giving testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said Invention; (d) for filing and prosecuting applications for reissuance of any of said Patents; (e) for interference or other priority proceedings involving said Invention; and (f) for legal proceedings involving said Invention and any application therefor and any Patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Assignors in providing such cooperation shall be paid for by said Assignee.

3. The term and covenants of this agreement shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Assignors, their heirs, legal representatives and assigns.

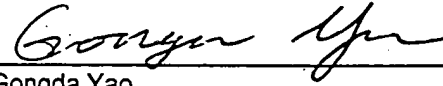
4. Said Assignors hereby warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Assignors have executed and delivered this instrument to said Assignee on the date indicated below.

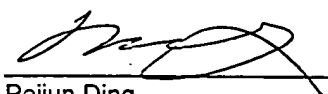
1) Nov. 25th, 1997

  
Tony Chiang


2) Nov. 25th, 1997

  
Gongda Yao

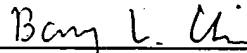
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Peijun Ding

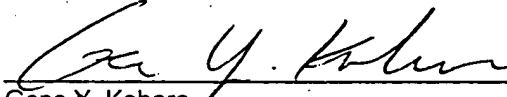
4) 11/25, 1997

  
Fusen E. Chen

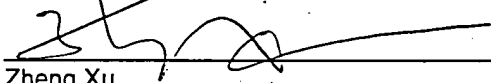
5) Nov 25, 1997

  
Barry L. Chin

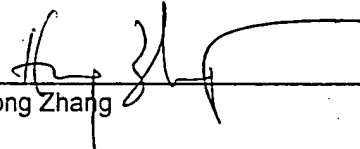
6) Nov. 25, 1997

  
Gene Y. Kohara

7) December 1st, 1997

  
Zheng Xu

8) Nov. 25, 1997

  
Hong Zhang